

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Stephen Jacob Kincaid,

Case No. 3:13 CV 2154

Plaintiff,

O R D E R

-vs-

JUDGE JACK ZOUHARY

Commissioner of Social Security,

Defendant.

This Court has reviewed the Report and Recommendation (“R&R”) of the Magistrate Judge filed June 27, 2014 (Doc. 16). Defendant indicated it will not be filing objections to the R&R (Doc. 17). The R&R recommends this Court vacate the final decision of the Commissioner and the case be remanded for further proceedings. The failure to file objections within the time frame set forth in the statute constitutes a waiver of de novo review by the district court. *See United States v. Sullivan*, 431 F.3d 976, 984 (6th Cir. 2005); *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

The R&R accurately states the facts and law, which this Court adopts in its entirety. Accordingly, this Court vacates the final decision of the Commissioner, and this case is remanded for further proceedings consistent with the R&R.

IT IS SO ORDERED.

s/ Jack Zouhary  
JACK ZOUHARY  
U.S. DISTRICT JUDGE

July 15, 2014